



Natural Resources Conservation Service
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May 1, 2007

OREGON BULLETIN NO. OR 180-2007-4

SUBJECT: **GENERAL MANUAL, 180-CPA, AMENDMENT OR9 (Part 409)**
CPA – National Planning Procedures Handbook - Oregon Amendment 3

Purpose: Transmits National Planning Procedures Handbook Oregon Exhibit 6.

Effective Date: Upon Receipt

Background: In October 2004, the National Wildlife Federation, together with various state wildlife federations, filed a complaint against USDA in federal court alleging, *inter alia*, that the managed haying and grazing provisions of the CRP program as being inconsistent with the primary nesting season dates under the National Environmental Policy Act (NEPA). That legal action was resolved with a settlement agreement pursuant to which USDA agreed to observe new primary nesting season dates (March 1- July 15) for new, and some existing, contracts.

Explanation of Changes: This revision provides **Oregon Exhibit 6 - CONSERVATION PLAN - Primary Nesting Period Addendum** form for planners to use when modifying a Conservation Plan of Operations specifically to change the dates of the Primary Nesting Period for effected CRP, CCRP, and CREP conservation plans.

Filing Instructions. Oregon Exhibit 6 is filed in the Exhibits section of the NPPH behind Oregon Exhibit 5. Copies of all Oregon Exhibits to the NPPH are available on the Oregon NRCS home page FTP site under the NPPH_Plan_ Policy folder, and under the Conservation Planning web page accessed by clicking on the Technology tab of the Oregon NRCS home page.

Contacts: If there are any questions about this amendment, please contact Russ Hatz, Leader for Technology at 503-414-3235 or russ.hatz@or.usda.gov.

A handwritten signature in black ink, appearing to read "Bob Graham", is written over a light blue horizontal line.

BOB GRAHAM
State Conservationist

Enclosures

DIST:
AO
AE

Oregon Exhibit 6 – Primary Nesting Period Addendum

CONSERVATION PLAN
Primary Nesting Period Addendum

Client Name: _____ Farm & Tract Number: _____

Contract Number: _____ Program: _____

Background:

In October, 2004 the National Wildlife Federation, together with various state wildlife federations, filed a complaint against USDA in federal court alleging, *inter alia*, that the managed haying and grazing provisions of the CRP program as being inconsistent with the primary nesting season dates under the National Environmental Policy Act (NEPA). That legal action was resolved with a settlement agreement pursuant to which USDA agreed to observe new primary nesting season dates for new, and some existing, contracts.

The above-referenced contract stipulates that maintenance and management activities may not occur during the primary nesting and brood rearing period for ground nesting birds common to Oregon. In order to conform the contract to the terms of the settlement agreement, the recognized and accepted dates of the “primary nesting period” have been changed from April 1-July 15 to March 1-July 15.

Agreement:

For the purposes of implementing and maintaining the contract referenced above the undersigned participant(s) agree that maintenance activity, such as mowing, burning, spraying, etc. will be conducted outside the primary nesting season period of ***March 1 thru July 15***, unless otherwise approved by the FSA County Committee.

No other aspect of the conservation plan is changed.

This addendum becomes effective immediately once all parties to the original Conservation Plan sign below. This addendum makes official the edits to the primary nesting period referenced in the Conservation Plan.

Certification of Participants

_____ Landowner/operator	_____ Date	_____ Landowner/operator	_____ Date
_____ NRCS	_____ Date	_____ SWCD	_____ Date